

Message Text

UNCLASSIFIED

PAGE 01 DACCA 03533 01 OF 02 020259Z
ACTION NEA-10

INFO OCT-01 ISO-00 JUSE-00 L-03 SCA-01 /015 W
-----034715 020315Z /72

P 010337Z JUL 77
FM AMEMBASSY DACCA
TO SECSTATE WASHDC PRIORITY 5239

UNCLAS SECTION 1 OF 2 DACCA 3533

E.O. 11652: N/A
TAGS : CFED, BG
SUBJECT : BANGLADESH: CITIZENSHIP LAW

REF : STATE 143745

1. FOLLOWING ARE THE FULL TEXTS OF EXISTING BANGLADESHI LAWS RELATING TO CITIZENSHIP BY BIRTH OR RESIDENCE:

(A) FROM THE BANGLADESH GAZETTE, EXTRAORDINARY, FRIDAY, DECEMBER 15, 1972, P.3585

PART IIIA -- ORDINANCES AND ORDERS PROMULGATED BY THE PRESIDENT
OF THE PEOPLE'S REPUBLIC OF BANGLADESH.

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(LAW DIVISION)
NOTIFICATION

1038-PUB.--15TH DECEMBER, 1972--THE FOLLOWING ORDER MADE BY THE PRESIDENT ON THE ADVICE OF THE PRIME MINISTER, OF THE PEOPLE'S REPUBLIC OF BANGLADESH ON THE 15TH DECEMBER, 1972, IS HEREBY PUBLISHED FOR GENERAL INFORMATION:-

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 DACCA 03533 01 OF 02 020259Z

(LAW DIVISION)
PRESIDENT'S ORDER NO. 149 OF 1972

THE BANGLADESH CITIZENSHIP (TEMPORARY PROVISIONS) ORDER, 1972

WHEREAS IT IS EXPEDIENT TO MAKE TEMPORARY PROVISIONS REGARDING CITIZENSHIP OF BANGLADESH;

NOW, THEREFORE, IN PURSUANCE OF THE PROCLAMATION OF INDEPENDENCE OF BANGLADESH, READ WITH THE PROVISIONAL CONSTITUTION OF BANGLADESH ORDER, 1972, AND IN EXERCISE OF ALL POWERS ENABLING HIM IN THAT BEHALF, THE PRESIDENT IS PLEASED TO MAKE THE FOLLOWING ORDER:-

(1) THIS ORDER MAY BE CALLED THE BANGLADESH CITIZENSHIP (TEMPORARY PROVISIONS) ORDER, 1972.

(2) IT SHALL COME INTO FORCE AT ONCE AND SHALL BE DEEMED TO HAVE TAKEN EFFECT ON THE 26TH DAY OF MARCH, 1971.

2. NOTWITHSTANDING ANYTHING CONTAINED IN ANY OTHER LAW, ON THE COMMENCEMENT OF THIS ORDER, EVERY PERSON SHALL BE DEEMED TO BE A CITIZEN OF BANGLADESH:

(I) WHO OR WHOSE FATHER OR GRANDFATHER WAS BORN IN THE TERRITORIES NOW COMPRISED IN BANGLADESH AND WHO WAS A PERMANENT RESIDENT OF SUCH TERRITORIES ON THE 25TH DAY OF MARCH, 1971, AND CONTINUES TO BE SO RESIDENT: OR

(II) WHO WAS A PERMANENT RESIDENT OF THE TERRITORIES NOW COMPRISED IN BANGLADESH ON THE 25TH DAY OF MARCH, 1971, AND CONTINUES TO BE SO RESIDENT AND IS NOT OTHERWISE DISQUALIFIED FOR BEING A CITIZEN BY OR UNDER ANY LAW FOR THE TIME BEING IN FORCE: PROVIDED THAT IF ANY PERSON IS A PERMANENT RESIDENT OF THE TERRITORIES NOW COMPRISED IN BANGLADESH OR HIS DEPENDENT IS, IN THE COURSE OF HIS EMPLOYMENT OR FOR THE PURSUIT OF HIS STUDIES,
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 DACCA 03533 01 OF 02 020259Z

RESIDING IN A COUNTRY WHICH WAS AT WAR WITH, OR ENGAGED IN MILITARY OPERATION AGAINST BANGLADESH AND IS BEING PREVENTED FROM RETURNING TO BANGLADESH, SUCH PERSON, OR HIS DEPENDENTS, SHALL BE DEEMED TO CONTINUE TO BE RESIDENT IN BANGLADESH.

3. IN CASE OF DOUBT AS TO WHETHER A PERSON IS QUALIFIED TO BE DEEMED TO BE A CITIZEN OF BANGLADESH UNDER ARTICLE 2 OF THIS ORDER, THE QUESTION SHALL BE DECIDED BY THE GOVERNMENT, WHICH DECISION SHALL BE FINAL.

4. THE GOVERNMENT MAY, UPON AN APPLICATION MADE TO IT IN THIS BEHALF IN THE MANNER PRESCRIBED, GRANT CITIZENSHIP TO ANY PERSON.

5. THE GOVERNMENT MAY MAKE RULES FOR CARRYING OUT THE PURPOSE OF THIS ORDER.

ABU SAYEED CHOWDHURY
PRESIDENT OF THE
PEOPLE'S REPUBLIC OF BANGLADESH

DACCA;
THE 15TH DECEMBER, 1972.

N. AHMAD

JOINT SECRETARY.

(B) FROM THE BANGLADESH GAZETTE, EXTRAORDINARY, FRIDAY, JUNE 22,
1973, P.5471:

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 DACCA 03533 02 OF 02 010859Z
ACTION NEA-10

INFO OCT-01 ISO-00 JUSE-00 L-03 SCA-01 /015 W

-----020555 020314Z /72

P 010337Z JUL 77

FM AMEMBASSY DACCA

TO SECSTATE WASHDC PRIORITY 5240

UNCLAS SECTION 2 OF 2 DACCA 3533

PART III - ACT OF THE BANGLADESH PARLIAMENT
BANGLADESH PARLIAMENT
DACCA, THE 22ND JUNE, 1973

THE FOLLOWING ACT OF PARLIAMENT RECEIVED THE ASSENT OF THE
PRESIDENT ON THE 21ST JUNE, 1973, AND IS PUBLISHED FOR GENERAL
INFORMATION:-

ACT NO. V OF 1973

IS ACTS TO AMEND THE BANGLADESH CITIZENSHIP (TEMPORARY PROVISIONS)

ORDER, 1972

WHEREAS IT IS EXPEDIENT TO AMEND THE BANGLADESH CITIZENSHIP
(TEMPORARY PROVISIONS) ORDER, 1972 (P.O. NO. 149 OF 1972), FOR THE
PURPOSE HEREINAFTER APPEARING;

IT IS HEREHY ENACTED AS FOLLOWS:-

1. SHORT TITLE AND COMMENCEMENT.--(1) THIS ACT MAY BE CALLED
THE BANGLADESH CITIZENSHIP (TEMPORARY PROVISIONS) (AMENDMENT) ACT,
1973.

(2) IT SHALL COME INTO FORCE AT ONCE AND SHALL BE DEEMED TO
HAVE TAKEN EFFECT ON THE 26TH DAY OF MARCH, 1971.

1. INSERTION OF NEW ARTICLES 2A AND 2B, P.O. NO. 149 OF 1972.-

IN THE BANGLADESH CITIZENSHIP (TEMPORARY PROVISIONS) ORDER, 1972
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 DACCA 03533 02 OF 02 010859Z

(P.O. NO. 149 OF 1972), AFTER ARTICLE 2, THE FOLLOWING NEW
ARTICLES SHALL BE INSERTED, NAMELY:

"2A.--A PERSON TO WHOM ARTICLE 2 WOULD HAVE ORDINARILY APPLIED
BUT FOR HIS RESIDENCE IN THE UNITED KINGDOM SHALL BE DEEMED TO
CONTINUE TO BE PERMANENT RESIDENT IN BANGLADESH WITHIN THE MEANING
OF THAT ARTICLE:

PROVIDED THAT THE GOVERNMENT MAY NOTIFY, IN THE OFFICIAL
GAZETTE, ANY PERSON OR CATEGORIES OF PERSONS TO WHOM THIS ARTICLE
SHALL NOT APPLY.

2B.--NOTWITHSTANDING ANYTHING CONTAINED IN ANY OTHER LAW FOR
THE TIME BEING IN FORCE OR IN THIS ORDER, A PERSON WHO--

(I) OWES, AFFIRMS OR ACKNOWLEDGES, EXPRESSLY OR BY CONDUCT
ALLEGIANCE TO A FOREIGN STATE, OR

(II) IS NOTIFIED UNDER THE PROVISIO TO ARTICLE 2A SHALL NOT
QUALIFY HIMSELF TO BE A CITIZEN OF BANGLADESH."

3. REPEAL.--THE BANGLADESH CITIZENSHIP (TEMPORARY PROVISIONS)
(AMENDMENT) ORDINANCE, 1973 (ORD. X OF 1973), IS HEREBY REPEALED.

S.M. RAHMAN
SECRETARY.

2. PUBLISHED COPIES OF THE ABOVE-REFERENCED ISSUES OF THE BANGLA-
DESH GAZETTE, EXTRAORDINARY, IF OBTAINABLE, WILL BE POUCHED TO
NEA/PAB.

3. THE APPLICABLE LAW FOR OBTAINING CITIZENSHIP BY NATURALIZA-
TION IS THE NATURALIZATION ACT OF 1926 AS ADAPTED AND AMENDED BY
ACT OF THE BANGLADESH PARLIAMENT NO. 53 OF 1974. THE TEXT OF THIS
LAW IS FAR TOO LENGTHY FOR TRANSMISSION BY CABLE. A COPY OF THE
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 DACCA 03533 02 OF 02 010859Z

PUBLISHED TEXT OF THE LAW WILL BE DIFFICULT TO OBTAIN. IT WILL
BE TRANSMITTED TO NEA/PAB, IF AVAILABLE. IF THE JUSTICE DEPART-
MENT FEELS IT IS NECESSARY TO HAVE THE TEXT OF THIS LAW OR PORTIONS
THEREOF, PLEASE ADVISE AS TO SPECIFIC ASPECTS OF NATURALIZATION
LAW WHICH SHOULD BE TRANSMITTED.

4. SINCE THE LAW IS COMPLEX, THE ASSISTANCE OF A LOCAL ATTORNEY
WILL BE REQUIRED TO INTERPRET AND EXTRACT RELEVANT PORTIONS OF THE

LAW. CHARGES FOR SUCH ASSISTANCE ARE ESTIMATED TO BE TAKA 150 PER HOUR (APPROXIMATELY TEN U.S. DOLLARS). IF THE JUSTICE DEPARTMENT WISHES TO PURSUE THIS MATTER, WE REQUEST THAT THEY PROVIDE NECESSARY FUNDS, AS POST DOES NOT HAVE FUNDS FOR THIS PURPOSE.
MASTERS

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977DACCA03533
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770236-0619
Format: TEL
From: DACCA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770799/aaaadiji.tel
Line Count: 229
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f5f07f72-c288-dd11-92da-001cc4696bcc
Office: ACTION NEA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 STATE 143745
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1988634
Secure: OPEN
Status: NATIVE
Subject: BANGLADESH: CITIZENSHIP LAW
TAGS: CFED, BG
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/f5f07f72-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009